

Declaration and Power of Attorney for Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHODS AND APPARATUS FOR MONITORING AND ENCOURAGING HEALTH AND FITNESS

the specification of which (check one)

☒

is attached hereto.

☐

was filed on _____ as United States Application Serial No. or PCT International Application No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above- identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):			
Number	Country	Day/Month/Year	Priority Claimed

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

Application Number	Filing Date
60/162,502	October 29, 1999

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365© of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information material to patentability of this application as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

Prior U.S. Applications:		
Serial No.	Filing Date	Status (patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

VALERIE G. DUGAN	(36,125)
BRIAN M. DUGAN	(41,720)

EXPRESS MAIL LABEL NO.: EK408967541US

Address all telephone calls to

VALERIE G. DUGAN
(914) 332-9081

Address all correspondence to:

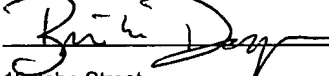
VALERIE G. DUGAN
DUGAN & DUGAN
18 JOHN STREET
TARRYTOWN, NY 10591

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(1) Inventor:

BRIAN M. DUGAN

Signature:



10/30/00
Date

Residence:

18 John Street
Tarrytown, New York 10591

Citizenship:

United States of America

Post Office

(Same as above)

Address:

000001 62F20260

EXPRESS MAIL LABEL NO.: EK408967541US

Applicant or Patentee: Brian M. Dugan
 Serial or Patent No.: UNKNOWN
 Filed or Issued: HEREWITH
 For: METHODS AND APPARATUS FOR MONITORING AND ENCOURAGING
HEALTH AND FITNESS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
 STATUS (37 C.F.R. 1.9(f) AND 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled METHODS AND APPARATUS FOR MONITORING AND ENCOURAGING HEALTH AND FITNESS described in:

- ☒ The specification filed herewith
☐ Application Serial No. _____, filed _____
☐ Patent No. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any right in the invention is listed below:

- ☒ No such person, concern, or organization
☐ Persons, concerns or organizations listed below*

*Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. 1.27)

FULL NAME _____
 ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____
 ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____
 ADDRESS _____

000007" 64T20460

[illegible]

Date _____